

ingredient was derived and the fact that the ingredient was derived from mercury; and, further, the label did not bear a statement of the quantity or proportion of red precipitate contained in the article.

DISPOSITION: April 1, 1948. Pleas of guilty having been entered, the court imposed a fine of \$400 against each defendant.

2503. Misbranding of Vaga-Septic Capsules and Vaga-Septic Powder. U. S. v. 30 Boxes, etc. (F. D. C. No. 25202. Sample Nos. 21746-K, 21747-K.)

LIBEL FILED: July 26, 1948, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about January 26, 1948, by the Vaga-Septic Co., from Grandview, Mo.

PRODUCT: 30 boxes each containing 15 *Vaga-Septic Capsules* and 33 boxes of *Vaga-Septic Powder* at Oklahoma City, Okla. Examination showed that the capsules consisted essentially of sodium bicarbonate, borates, zinc sulfate, and oxyquinoline sulfate, and that the powder consisted essentially of boric acid, menthol, carbolic acid, aluminum sulfate, and oil of eucalyptus. Bacteriological tests showed that the powder was not antiseptic.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents; Section 502 (f) (1), the labeling of the capsules failed to bear adequate directions for use, since it did not reveal the reason for using the article; and, Section 502 (a), the statements "Vaga-Septic" and "Healing" on the label of the powder were false and misleading, since the article was not antiseptic and was not effective in healing.

DISPOSITION: September 3, 1948. Default decree of condemnation and destruction.

2504. Misbranding of Brother Tom's Medicine and iron and yeast tablets. U. S. v. 14 Packages * * *. (F. D. C. No. 25144. Sample Nos. 36262-K, 36263-K.)

LIBEL FILED: August 5, 1948, District of Montana.

ALLEGED SHIPMENT: On or about June 11, 1948, by the Brother Tom's Medicine Co., from Los Angeles, Calif.

PRODUCT: 14 packages of *Brother Tom's Medicine*, at Butte, Mont., each package containing 1 bottle of the medicine and an envelope containing *iron and yeast tablets*.

LABEL, IN PART: (Bottle) "Liquid Medicine That Acts as a Laxative, Stomachic, Carminative, Diuretic. Contains the active principles extracted from Cascara Sagrada, Senna, Gentian, Fennel Seed, and in addition contains Aloin, Caffeine, Sodium Benzoate, Salicylic Acid and flavoring ingredients"; (envelope) "Iron and Yeast Tablets * * * Four Tablets Contain Iron 75 Mg. (Ferrous Sulf. Exsic. 3.9 Gr.) Yeast 12 Gr. (Primary Dried U. S. P.) B₁ (Thiamin) 1.8 Mg. with excipients and fillers."

NATURE OF CHARGE: *Brother Tom's Medicine*. Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use as a stomachic, carminative, and diuretic, the purposes for which it was recommended in its labeling.

Iron and yeast tablets. Misbranding, Section 502 (a), certain statements in a circular enclosed in the envelope containing the tablets were false and misleading. These statements suggested and implied that the tablets would preserve a lady's beauty and prevent her face from growing pale when her freshness was lagging and her energy was low; that they would remedy puny, weak, red blood cells, enabling them to send full energy into one's system; that they would build energy; that they would correct tired, listless, pale conditions, and would cause the red cells to release energy to the body; and that they would favorably affect puny, faded cells, enabling them to release needed energy and cause one to look and feel his best. The tablets would not be effective for such purposes.

DISPOSITION: September 21, 1948. Default decree of condemnation and destruction.

2505. Misbranding of Vit-An-Min. U. S. v. 310 Bottles, etc. (F. D. C. No. 25081. Sample Nos. 19460-K, 19461-K.)

LIBEL FILED: July 13, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 8 and 15, 1948, by S. & R. Laboratories, Inc., from Chicago, Ill.

PRODUCT: 310 12-ounce bottles of *Vit-An-Min* at Toledo, Ohio, together with 1,300 circulars entitled "Add to Your Diet with Vit-An-Min." Sales of this product were made on the basis of lectures given at the store of the consignee by Edward S. Haller, a representative of the S. & R. Laboratories, Inc. Examination showed that the product was an orange, powdered material containing calcium, phosphorus, and iron.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading. These statements represented and suggested that common food cannot be relied upon to supply the vitamins and minerals essential to man for normal health, and that it is necessary to add the article to your diet. There is no difficulty in obtaining the vitamins and minerals needed by the consumption of common foods.

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the treatment of nervous and ulcerated stomach, arthritis, neuritis, rheumatism, anemia, underweight, and overweight, and to obviate the need for changes in eyeglasses, which were the diseases, symptoms, and conditions for which the article was offered in its advertising disseminated and sponsored by or on behalf of the manufacturer, packer, or distributor.

DISPOSITION: August 30, 1948. Default decree of condemnation and destruction.

2506. Misbranding of Cravex. U. S. v. 35 Small Cartons, etc. (F. D. C. No. 25136. Sample No. 756-K.)

LIBEL FILED: August 19, 1948, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 8, 1948, by Plant Products Co., Inc., from Burbank, Calif.

PRODUCT: 35 small and 11 large cartons of *Cravex* at Jacksonville, Fla.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate direction for use, since it failed to reveal the reason for its use as directed in the labeling, namely, "one powder twice daily in food or liquid."

DISPOSITION: October 26, 1948. Default decree of condemnation and destruction.

2507. Misbranding of Spectro-Chrome. U. S. v. 1 Device * * * (and 5 other seizure actions). (F. D. C. Nos. 25038, 25121, 25122, 25200, 25209, 25210. Sample Nos. 6691-K, 15219-K, 15220-K to 15222-K, incl., 31620-K.)

LIBELS FILED: July 15, 23, and 30, and September 13, 1948, Western District of New York, Northern District of Illinois, and Southern District of California.

ALLEGED SHIPMENT: On or about December 8, 1947, and February 9 and March 1 and 26, 1948, by the Dinshah Spectro-Chrome Institute, from Malaga, N. J.

PRODUCT: 6 *Spectro-Chrome* devices at Lackawanna, N. Y., Blue Island, Chicago, and Rockford, Ill., and Redlands, Calif. The device consisted of a cabinet equipped with a 1,000-watt floodlight bulb, an electric fan, a container for water for cooling purposes, two glass condenser lenses for concentrating the light, and glass slides of different colors.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended.

DISPOSITION: August 16, September 14, and October 5 and 12, 1948. Default decrees of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

2508. Adulteration and misbranding of Scheuerman's Herb Compound No. 1. U. S. v. Charles Scheuerman. Plea of guilty. Sentence of 1 year and 1 day on each count, to run concurrently; sentence suspended and defendant placed on probation for 1 year and 1 day. (F. D. C. No. 24248. Sample Nos. 63636-H, 68819-H.)

INDICTMENT RETURNED: July 9, 1948, Southern District of Ohio, against Charles Scheuerman, Cincinnati, Ohio.

ALLEGED SHIPMENT: On or about April 17, 1946, and March 22, 1947, from the State of Ohio into the States of New York and Illinois.